



## PEOPLE FOR CHILDREN'S HEALTH & ENVIRONMENTAL JUSTICE

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Central Valley Regional Water Quality Control Board  
Sacramento Main Office  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670-6114

**RE: Proposed Methylmercury Basin Plan Amendment/TMDL for the Sacramento-San Joaquin River Delta Estuary.**

Dear Chairman Longley, Vice Chair Hart, and Board Members Betancourt, Maki, Meraz, Mulholland, and Odenweller:

Thank you for the opportunity to share our views on the proposed methylmercury TMDL for the Delta. People for Children's Health & Environmental Justice wishes to acknowledge the Regional Board Staff's hard work on this plan and approve of their focus on methylmercury as a means of protecting public health and the environment.

People for Children's Health and Environmental Justice is a grassroots, environmental justice organization based in the Bay Area. We serve low-moderate income communities of color. Our mission is to safeguard our communities basic human right to a safe and toxic-free environment that includes the water we drink and fish that is regularly eaten. Many people in our community fish regularly and often consume higher levels of Delta fish than is considered safe due to methylmercury and other contaminants. We believe that they have the right to fish and consume their catch, whether for cultural, recreational, or economic reasons, without risking their families' health and safety. While we recognize that addressing the mercury problem in the Delta can be complex, we believe that it is the responsibility of the Board to ensure that we do all we can to reduce methylmercury in the watershed in as rapid and complete a manner as possible.

We are seriously concerned that the proposed plan will not adequately protect our community for the following reasons:

- Staff recommends a fish tissue target that will allow people to only eat popular species of locally caught fish once a week, disregarding the fact that many in the Delta's diverse population consume significantly higher levels as a major part of their diet. Such a limited goal will only put our families at continued risk.
- The TMDL delays taking action to reduce methylmercury levels for 8 years while more studies are done, despite the fact that people, especially those in disadvantaged communities or communities of color, are being affected today.

- While Staff appropriately includes exposure reduction language from State Board Resolution 2005-0060, the implementation and program evaluation requirements focus on risk communication and do not adequately address mitigating health impacts from mercury contamination or actions to reduce actual exposure.

We believe these problems can be corrected. Specifically we recommend that:

1. The Board adopt a fish tissue objective that will better protect subsistence fishers and their families. Staff's Alternative 5 would allow 4 or 5 meals a week, and comes closer to what is happening in many households. We believe that as research continues in the Delta, this goal can be achieved.
2. Sources of methyl and elemental mercury should be required to begin reducing their loads now, based on current knowledge. An adaptive management plan would allow such strategies to be improved as research and monitoring provides more information.
3. Exposure reduction language should be expanded to include "*Coordination with affected communities to develop and implement exposure management programs that meet their particular needs, possibly including providing access to fish with less mercury or other protein sources and supporting or funding programs which address community health problems exacerbated by consumption of mercury in fish*". Furthermore, evaluation of exposure reduction programs should include reporting on such actions.

The Regional Board has the opportunity to ensure that this TMDL puts the interests of environmental justice and our most impacted communities first. As residents of the Delta region, we believe this is the only way we can be assured that our precious water resources are cleaned up and that our people will live in a healthy and safe environment.

Sincerely,

LaDonna Williams  
Executive Director

Cc: Patrick Morris  
Pamela Creedon